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10/734,406	12/12/2003	Alok Kumar	P16884	1174

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EXAMINER	
HO, CHUONG T	

ART UNIT	PAPER NUMBER
2619	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/734,406	KUMAR ET AL.	
	Examiner	Art Unit	
	CHUONG T. HO	2619	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *01 October 2007*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-15 and 25-27* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-9,10-12,13-15,25-27* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. The amendment filed 10/01/07 have been entered and made of record.

2. Applicant's arguments with respect to claims 1-9, 10-12, 13-15, 25-27 have been considered but are moot in view of the new ground(s) of rejection.

3. Claims 1-9, 10-12, 13-15, 25-27 are pending.

Claim Objections

4. Claims 16-24 are objected to because of the following informalities:

replace " (withdrawn) " by ----- (Canceled) ----. Appropriate correction is required.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 1, 4, 6-9, 10, 12, 13, 15, 25, 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Marshall et al. (US 2004/0213235 A1) in view of Gaur (US 7,286,549).

Regarding to claim 1, Marshall et al. discloses receiving at a processing element (figure 4, classification engine 500) a request to transmit a packet associated with a packet identifier ([0011], information associated with a packet, e.g., a virtual local area network (VLAN) identifier (ID) and/or destination port ID, is provided to an initial

classification stage of a classification engine which generates a criterion, e.g., a packet field, and a rule associated with the packet);

Determining a number of transmit buffers ([0012], queue ID, The VLAN ID and destination port ID information associated with the packet are applied to the VLAN and port/channel tables, respectively, to generate a set of queue ID base pointers, packet field values, packet field valid values, and rules) ([0013], Information contained in the selected final state table entry is combined with the queue ID base pointers to generate the identifier, i.e., a queue ID, associated with the classified packet) ([0040], The classification engine 500 processes the packet including classifying the packet and determining a queue ID of a calendar queue 442 associated with the classified packet. The queue ID is transferred to the queuing logic 440 which selects a calendar queue 442 associated with the queue ID and places information associated with the packet (e.g., a pointer to the packet in buffer 450) on the selected queue 442. When the information associated with the packet reaches the head of the selected queue 442, the queuing logic 440 transfers the packet from buffer 450 to the output interface 430 where it is transferred out the destination port 217, associated with the destination port ID, onto the network) (see figure 4); arranging for the packet to be transmitted through a port (figure 4, output interface 430)

However, Marshall et al. are silent to disclosing arranging for the packet to be transmitted through a port without storing the packet in a local transmit queue if the number of transmit buffers does not exceed a pre-determined threshold.

Gaur discloses arranging for the packet to be processed without storing the packet in a local transmit queue if the number of transmit buffers (figure 3, 108, the number of remaining packet buffers) does not exceed a pre-determined threshold (figure 4, medium threshold) (figure 3, 108, if the number of remaining packet buffers are less than medium threshold, go to 110, this is a small packet, go to 112, call transport protocol to process packet, col. 3, lines 43-46, to process the allocated packet buffer 20 without copying the packet in the allocated packet buffer to copy packet buffer 28 "without storing the packet in the packet buffer 28").

Both Marshall and Gaur disclose transmitting packets. Gaur recognizes arranging for the packet to be processed without storing the packet in a local transmit queue if the number of transmit buffers does not exceed a pre-determined threshold. Thus, one would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate arranging for the packet to be processed without storing the packet in a local transmit queue if the number of transmit buffers does not exceed a pre-determined threshold taught by Gaur into the system of Marshall in order to prevent delays when processing the packets. Therefore, the combined system would have been enable to process the high speed network packets more efficiency.

7. Regarding to claim 4, Marshall et al. disclose the limitations of claim 1 above.

However, Marshall et al. are silent to disclosing evaluating a status of the port associated with the packet, wherein it is arranged for the packet to be transmitted without storing the packet identifier in the local transmit queue only if (i) the number of

transmit buffers does not exceed the pre-determined threshold and (ii) the port is available to transmit the packet.

Gaur discloses evaluating a status of the port associated with the packet, wherein it is arranged for the packet to be transmitted without storing the packet identifier in the local transmit queue only if (i) the number of transmit buffers does not exceed the pre-determined threshold and (ii) the port is available to transmit the packet (figure 3, 108, the number of remaining packet buffers) (figure 4, medium threshold) (figure 3, 108, if the number of remaining packet buffers are less than medium threshold, go to 110, this is a small packet, go to 112, call transport protocol to process packet, col. 3, lines 43-46, to process the allocated packet buffer 20 without copying the packet in the allocated packet buffer to copy packet buffer 28 "without storing the packet in the packet buffer 28").

Both Marshall and Gaur disclose transmitting packets. Gaur recognizes evaluating a status of the port associated with the packet, wherein it is arranged for the packet to be transmitted without storing the packet identifier in the local transmit queue only if (i) the number of transmit buffers does not exceed the pre-determined threshold and (ii) the port is available to transmit the packet. Thus, one would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate evaluating a status of the port associated with the packet, wherein it is arranged for the packet to be transmitted without storing the packet identifier in the local transmit queue only if (i) the number of transmit buffers does not exceed the pre-determined threshold and (ii) the port is available to transmit the packet taught by Gaur into the system of Marshall in

order to prevent delays when processing the packets. Therefore, the combined system would have been enable to process the high speed network packets more efficiency.

8. Regarding to claim 6, Marshall et al. disclose the limitations of claim 1 above.

However, Marshall et al. are silent to disclosing determining if the local transmit queue is empty, wherein it is arranged for the packet to be transmitted without storing the packet identifier in the local transmit queue only if (i) the number of transmit buffers does not exceed the pre-determined threshold and (ii) the local transmit queue is empty.

Gaur discloses determining if the local transmit queue is empty, wherein it is arranged for the packet to be transmitted without storing the packet identifier in the local transmit queue only if (i) the number of transmit buffers does not exceed the pre-determined threshold and (ii) the local transmit queue is empty (figure 3, 108, the number of remaining packet buffers) (figure 4, medium threshold) (figure 3, 108, if the number of remaining packet buffers are less than medium threshold, go to 110, this is a small packet, go to 112, call transport protocol to process packet, col. 3, lines 43-46, to process the allocated packet buffer 20 without copying the packet in the allocated packet buffer to copy packet buffer 28 "without storing the packet in the packet buffer 28").

Both Marshall and Gaur disclose transmitting packets. Gaur recognizes determining if the local transmit queue is empty, wherein it is arranged for the packet to be transmitted without storing the packet identifier in the local transmit queue only if (i) the number of transmit buffers does not exceed the pre-determined threshold and (ii) the local transmit queue is empty. Thus, one would have been obvious to one of

ordinary skill in the art at the time of the invention to incorporate determining if the local transmit queue is empty, wherein it is arranged for the packet to be transmitted without storing the packet identifier in the local transmit queue only if (i) the number of transmit buffers does not exceed the pre-determined threshold and (ii) the local transmit queue is empty taught by Gaur into the system of Marshall in order to prevent delays when processing the packets. Therefore, the combined system would have been enable to process the high speed network packets more efficiency.

9. Regarding to claim 7, Marshall et al. disclose wherein the request to transmit the packet is received from a queue manager (figure 4, classification engine 500).

10. Regarding to claim 8, Marshall et al. discloses wherein said receiving, determining, and arranging are executed by a processing thread in a multi-threaded, reduced instruction set computer microengine ([0011], information associated with a packet, e.g., a virtual local area network (VLAN) identifier (ID) and/or destination port ID, is provided to an initial classification stage of a classification engine which generates a criterion, e.g., a packet field, and a rule associated with the packet) ([0012]).

11. Regarding to claim 9, Marshall et al. disclose wherein the microegiene is associated with at least one of: (i) a network interface, (ii) a network processor, and (iii) an asynchronous transfer mode network deivce ([0011], information associated with a packet, e.g., a virtual local area network (VLAN) identifier (ID) and/or destination port ID, is provided to an initial classification stage of a classification engine which generates a criterion, e.g., a packet field, and a rule associated with the packet) 9[0012].

12. Regarding to claim 10, Marshall et al. discloses a storage medium (figure 4, line card 400) having stored thereon instructions that when executed by machine result in the following: receiving at a processing element (figure 4, classification engine 500) a request to transmit a packet associated with a packet identifier ([0011], information associated with a packet, e.g., a virtual local area network (VLAN) identifier (ID) and/or destination port ID, is provided to an initial classification stage of a classification engine which generates a criterion, e.g., a packet field, and a rule associated with the packet); Determining a number of transmit buffers ([0012], queue ID, The VLAN ID and destination port ID information associated with the packet are applied to the VLAN and port/channel tables, respectively, to generate a set of queue ID base pointers, packet field values, packet field valid values, and rules) ([0013], Information contained in the selected final state table entry is combined with the queue ID base pointers to generate the identifier, i.e., a queue ID, associated with the classified packet) ([0040], The classification engine 500 processes the packet including classifying the packet and determining a queue ID of a calendar queue 442 associated with the classified packet. The queue ID is transferred to the queuing logic 440 which selects a calendar queue 442 associated with the queue ID and places information associated with the packet (e.g., a pointer to the packet in buffer 450) on the selected queue 442. When the information associated with the packet reaches the head of the selected queue 442, the queuing logic 440 transfers the packet from buffer 450 to the output interface 430 where it is transferred out the destination port 217, associated with the destination port ID, onto

the network) (see figure 4); arranging for the packet to be transmitted through a port (figure 4, output interface 430)

However, Marshall et al. are silent to disclosing arranging for the packet to be transmitted through a port without storing the packet in a local transmit queue if the number of transmit buffers does not exceed a pre-determined threshold.

Gaur discloses arranging for the packet to be processed without storing the packet in a local transmit queue if the number of transmit buffers (figure 3, 108, the number of remaining packet buffers) does not exceed a pre-determined threshold (figure 4, medium threshold) (figure 3, 108, if the number of remaining packet buffers are less than medium threshold, go to 110, this is a small packet, go to 112, call transport protocol to process packet, col. 3, lines 43-46, to process the allocated packet buffer 20 without copying the packet in the allocated packet buffer to copy packet buffer 28 "without storing the packet in the packet buffer 28").

Both Marshall and Gaur disclose transmitting packets. Gaur recognizes arranging for the packet to be processed without storing the packet in a local transmit queue if the number of transmit buffers does not exceed a pre-determined threshold. Thus, one would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate arranging for the packet to be processed without storing the packet in a local transmit queue if the number of transmit buffers does not exceed a pre-determined threshold taught by Gaur into the system of Marshall in order to prevent delays when processing the packets. Therefore, the combined system would have been enable to process the high speed network packets more efficiency.

13. Regarding to claim 12, claim 12 is rejected the same reasons of claim 4.

14. Regarding to claim 13, Marshall et al. discloses an input path (figure 4, 215) to receive at a processing element (figure 4, classification engine 500) a request to transmit a packet associated with a packet identifier ([0011], information associated with a packet, e.g., a virtual local area network (VLAN) identifier (ID) and/or destination port ID, is provided to an initial classification stage of a classification engine which generates a criterion, e.g., a packet field, and a rule associated with the packet); a local memory portion (figure 4, queue logic 440)

Determining a number of transmit buffers (figure 4, queue logic 440, [0012], queue ID, The VLAN ID and destination port ID information associated with the packet are applied to the VLAN and port/channel tables, respectively, to generate a set of queue ID base pointers, packet field values, packet field valid values, and rules) ([0013], Information contained in the selected final state table entry is combined with the queue ID base pointers to generate the identifier, i.e., a queue ID, associated with the classified packet) ([0040], The classification engine 500 processes the packet including classifying the packet and determining a queue ID of a calendar queue 442 associated with the classified packet. The queue ID is transferred to the queuing logic 440 which selects a calendar queue 442 associated with the queue ID and places information associated with the packet (e.g., a pointer to the packet in buffer 450) on the selected queue 442. When the information associated with the packet reaches the head of the selected queue 442, the queuing logic 440 transfers the packet from buffer 450 to the output interface 430 where it is transferred out the destination port 217, associated with the

destination port ID, onto the network) (see figure 4); arranging for the packet to be transmitted through a port (figure 4, output interface 430)

However, Marshall et al. are silent to disclosing arranging for the packet to be transmitted through a port without storing the packet in a local transmit queue if the number of transmit buffers does not exceed a pre-determined threshold.

Gaur discloses arranging for the packet to be processed without storing the packet in a local transmit queue if the number of transmit buffers (figure 3, 108, the number of remaining packet buffers) does not exceed a pre-determined threshold (figure 4, medium threshold) (figure 3, 108, if the number of remaining packet buffers are less than medium threshold, go to 110, this is a small packet, go to 112, call transport protocol to process packet, col. 3, lines 43-46, to process the allocated packet buffer 20 without copying the packet in the allocated packet buffer to copy packet buffer 28 "without storing the packet in the packet buffer 28").

Both Marshall and Gaur disclose transmitting packets. Gaur recognizes arranging for the packet to be processed without storing the packet in a local transmit queue if the number of transmit buffers does not exceed a pre-determined threshold. Thus, one would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate arranging for the packet to be processed without storing the packet in a local transmit queue if the number of transmit buffers does not exceed a pre-determined threshold taught by Gaur into the system of Marshall in order to prevent delays when processing the packets. Therefore, the combined system would have been enable to process the high speed network packets more efficiency.

15. Regarding to claim 15, Marshall et al. disclose the limitations of claim 1 above.

However, Marshall et al. are silent to disclosing wherein the processing portion is to arrange for the packet to be transmitted through the port without storing the packet identifier in the local memory portion on if (i) the number of transmit buffers does not exceed the pre-determined threshold and (ii) the port is available to transmit the packet.

Gaur discloses wherein the processing portion is to arrange for the packet to be transmitted through the port without storing the packet identifier in the local memory portion on if (i) the number of transmit buffers does not exceed the pre-determined threshold and (ii) the port is available to transmit the packet (figure 3, 108, the number of remaining packet buffers) (figure 4, medium threshold) (figure 3, 108, if the number of remaining packet buffers are less than medium threshold, go to 110, this is a small packet, go to 112, call transport protocol to process packet, col. 3, lines 43-46, to process the allocated packet buffer 20 without copying the packet in the allocated packet buffer to copy packet buffer 28 "without storing the packet in the packet buffer 28").

Both Marshall and Gaur disclose transmitting packets. Gaur recognizes wherein the processing portion is to arrange for the packet to be transmitted through the port without storing the packet identifier in the local memory portion on if (i) the number of transmit buffers does not exceed the pre-determined threshold and (ii) the port is available to transmit the packet. Thus, one would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate wherein the processing portion is to arrange for the packet to be transmitted through the port without storing the packet

identifier in the local memory portion on if (i) the number of transmit buffers does not exceed the pre-determined threshold and (ii) the port is available to transmit the packet taught by Gaur into the system of Marshall in order to prevent delays when processing the packets. Therefore, the combined system would have been enable to process the high speed network packets more efficiency.

16. Regarding to claim 25, Marshall et al. discloses a backplane (figure 2, backplane 220); a first line card (figure 2, line cards 400a, 400b, 400c connected to the backplane 220); and a second line card (figure 2, line cards 400a, 400b, 400c connected to the backplane (220), the second line card including a processing element (figure 4, classification engine 500) having: an input path (figure 4, input interface 420) to receive a request to transmit a packet associated with a packet identifier ([0011], information associated with a packet, e.g., a virtual local area network (VLAN) identifier (ID) and/or destination port ID, is provided to an initial classification stage of a classification engine which generates a criterion, e.g., a packet field, and a rule associated with the packet); a local memory portion (figure 4, queuing logic 440)

Determining a number of transmit buffers ([0012], queue ID, The VLAN ID and destination port ID information associated with the packet are applied to the VLAN and port/channel tables, respectively, to generate a set of queue ID base pointers, packet field values, packet field valid values, and rules) ([0013], Information contained in the selected final state table entry is combined with the queue ID base pointers to generate the identifier, i.e., a queue ID, associated with the classified packet) ([0040], The classification engine 500 processes the packet including classifying the packet and

determining a queue ID of a calendar queue 442 associated with the classified packet. The queue ID is transferred to the queuing logic 440 which selects a calendar queue 442 associated with the queue ID and places information associated with the packet (e.g., a pointer to the packet in buffer 450) on the selected queue 442. When the information associated with the packet reaches the head of the selected queue 442, the queuing logic 440 transfers the packet from buffer 450 to the output interface 430 where it is transferred out the destination port 217, associated with the destination port ID, onto the network) (see figure 4); arranging for the packet to be transmitted through a port (figure 4, output interface 430).

However, Marshall et al. are silent to disclosing arranging for the packet to be transmitted through a port without storing the packet in a local transmit queue if the number of transmit buffers does not exceed a pre-determined threshold.

Gaur discloses arranging for the packet to be processed without storing the packet in a local transmit queue if the number of transmit buffers (figure 3, 108, the number of remaining packet buffers) does not exceed a pre-determined threshold (figure 4, medium threshold) (figure 3, 108, if the number of remaining packet buffers are less than medium threshold, go to 110, this is a small packet, go to 112, call transport protocol to process packet, col. 3, lines 43-46, to process the allocated packet buffer 20 without copying the packet in the allocated packet buffer to copy packet buffer 28 "without storing the packet in the packet buffer 28").

Both Marshall and Gaur disclose transmitting packets. Gaur recognizes arranging for the packet to be processed without storing the packet in a local transmit

queue if the number of transmit buffers does not exceed a pre-determined threshold. Thus, one would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate arranging for the packet to be processed without storing the packet in a local transmit queue if the number of transmit buffers does not exceed a pre-determined threshold taught by Gaur into the system of Marshall in order to prevent delays when processing the packets. Therefore, the combined system would have been enable to process the high speed network packets more efficiency.

17. Regarding to claim 27, Marshall et al. disclose the limitations of claim 1 above.

However, Marshall et al. are silent to disclosing wherein the processing portion is to arrange for the packet to be transmitted through the port without storing the packet identifier in the local memory portion on if (i) the number of transmit buffers does not exceed the pre-determined threshold and (ii) the port is available to transmit the packet.

Gaur discloses wherein the processing portion is to arrange for the packet to be transmitted through the port without storing the packet identifier in the local memory portion on if (i) the number of transmit buffers does not exceed the pre-determined threshold and (ii) the port is available to transmit the packet (figure 3, 108, the number of remaining packet buffers) (figure 4, medium threshold) (figure 3, 108, if the number of remaining packet buffers are less than medium threshold, go to 110, this is a small packet, go to 112, call transport protocol to process packet, col. 3, lines 43-46, to process the allocated packet buffer 20 without copying the packet in the allocated packet buffer to copy packet buffer 28 "without storing the packet in the packet buffer 28").

Both Marshall and Gaur disclose transmitting packets. Gaur recognizes wherein the processing portion is to arrange for the packet to be transmitted through the port without storing the packet identifier in the local memory portion on if (i) the number of transmit buffers does not exceed the pre-determined threshold and (ii) the port is available to transmit the packet. Thus, one would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate wherein the processing portion is to arrange for the packet to be transmitted through the port without storing the packet identifier in the local memory portion on if (i) the number of transmit buffers does not exceed the pre-determined threshold and (ii) the port is available to transmit the packet taught by Gaur into the system of Marshall in order to prevent delays when processing the packets. Therefore, the combined system would have been enable to process the high speed network packets more efficiency.

Claim Rejections - 35 USC § 103

18. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

19. Claims 2-3, 5, 11, 14, 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combined system (Marshall – Gaur) in view of Subramanian (US 2005/0063376 A1).

Regarding to claim 2, the combined system (Marshall – Gaur) disclose the limitations of claim 1 above.

However, the combined system (Marshall - Gaur) are silent to disclosing arranging for the packet identifier to be stored in the local transmit queue for that port is the number of transmit buffer exceeds the pre-determined threshold.

Subramannian discloses arranging for the packet identifier to be stored in the local transmit queue for that port is the number of transmit buffer exceeds the pre-determined threshold [0024].

Both Marshall, Gaur, and Subramannian disclose transmitting packets. Subramannian recognizes arranging for the packet identifier to be stored in the local transmit queue for that port is the number of transmit buffer exceeds the pre-determined threshold. Thus, one would have been obvious to one of ordinary skill in the art at the time of the invention to modify the combined system (Marshall – Gaur) with the teaching of Subramannian to arrange for the packet identifier to be stored in the local transmit queue for that port is the number of transmit buffer exceeds the pre-determined threshold in order to prevent delays when processing the packets. Therefore, the combined system would have been enable to process the high speed network packets more efficiency.

20. Regarding to claim 3, the combined system (Marshall – Gaur) disclose the limitations of claim 1 above.

However, the combined system (Marshall - Gaur) are silent to disclosing wherein the packet identifier is stored in an external memory unit when the local transmit queue for that port is full.

Subramannian discloses wherein the packet identifier is stored in an external memory unit when the local transmit queue for that port is full [0024].

Both Marshall, Gaur, and Subramannian disclose transmitting packets. Subramannian recognizes wherein the packet identifier is stored in an external memory unit when the local transmit queue for that port is full. Thus, one would have been obvious to one of ordinary skill in the art at the time of the invention to modify the combined system (Marshall – Gaur) with the teaching of Subramannian to arrange the packet identifier is stored in an external memory unit when the local transmit queue for that port is full in order to prevent delays when processing the packets. Therefore, the combined system would have been enable to process the high speed network packets more efficiency.

21. Regarding to claim 5, the combined system (Marshall – Gaur) disclose the limitations of claim 1 above.

However, the combined system (Marshall - Gaur) are silent to disclosing wherein the evaluation is based on a flow-control condition of that port.

Subramannian discloses wherein the evaluation is based on a flow-control condition of that port [0024].

Both Marshall, Gaur, and Subramannian disclose transmitting packets. Subramannian recognizes wherein the evaluation is based on a flow-control condition of that port. Thus, one would have been obvious to one of ordinary skill in the art at the

time of the invention to modify the combined system (Marshall – Gaur) with the teaching of Subramannian to evaluate a flow-control condition of that port in order to prevent delays when processing the packets. Therefore, the combined system would have been enable to process the high speed network packets more efficiency.

22. Regarding to claim 11, claim 11 is rejected the same reasons of claim 2 above.

23. Regarding to claim 14, claim 14 is rejected the same reasons of claim 2 above.

24. Regarding to claim 26, claim 26 is rejected the same reasons of claim 2 above

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHUONG T. HO whose telephone number is (571) 272-3133. The examiner can normally be reached on 8:00 am to 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, ORGAD EDAN can be reached on (571) 272-7884. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

12/06/07

EDAN . ORGAD
SUPERVISORY PATENT EXAMINER